

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES EDWARD CURTIS,

Plaintiff,

V.

TERRY J. BENDA and WILLIAM E.
RILEY,

Defendants.

No. 08-5109 BHS/KLS

**ORDER DENYING THIRD MOTION FOR
EXTENSION OF TIME**

Before the Court is Plaintiff's third motion for extension of time. ECF No. 168. Plaintiff asks an additional thirty days to respond to Defendant's motion for summary judgment. *Id.* On May 9, 2011, the Court extended the discovery deadline for the sole purpose of allowing Plaintiff to take the deposition of Timothy Davis. ECF No. 167. The court also struck the noting of Defendant Riley's motion for summary judgment, with leave to re-file the motion after termination of the new discovery deadline. *Id.*

Accordingly, Plaintiff's third motion for extension of time (ECF No. 168) is **DENIED as moot**. The Clerk is directed to send copies of this Order to Plaintiff and to counsel for Defendants.

DATED this 23rd day of May, 2011.

[Signature]

Karen L. Strombom
United States Magistrate Judge